

MORGAN, LEWIS & BOCKIUS LLP

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Attorneys for Defendant Funai Corporation, Inc.

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

NORMA OLIVER and MATT TOMS,
individually and on behalf of all others
similarly situated,

Plaintiffs,

v.

FUNAI CORPORATION, INC.

Defendants.

Civil Action No.: 2:14-cv-04531-JLL-JAD

Class Action

NOTICE OF MOTION TO DISMISS

TO: All Counsel of Record

PLEASE TAKE NOTICE that on the 6th day of October 2014, or as soon thereafter as counsel can be heard, Morgan, Lewis & Bockius LLP (John P. Lavelle, Jr., Esq., appearing), shall move before the Honorable Jose L. Linares, on behalf of Defendant Funai Corporation, Inc., to dismiss the Complaint under Federal Rule of Civil Procedure 12(b)(6).

PLEASE TAKE FURTHER NOTICE that, in support of this motion, Defendant shall rely upon the accompanying Memorandum of Law in Support of Funai Corporation, Inc.'s Motion To Dismiss, Declaration of John P. Lavelle, Jr., and a proposed form of Order.

Oral argument is respectfully requested.

Dated: September 3, 2014

MORGAN, LEWIS & BOCKIUS LLP

By: /s/ John P. Lavelle, Jr.

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*Attorneys for Defendant Funai Corporation,
Inc.*

CERTIFICATE OF SERVICE

I do hereby certify that on this 3rd day of September 2014, a true and correct copy of the foregoing Notice of Motion, a Memorandum of Law In Support of Defendant Funai Corporation, Inc.'s Motion to Dismiss, Declaration of John P. Lavelle, Jr., and a proposed form of Order was filed and served via ECF on the following:

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